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Attorney for Plaintiff
ORVILLE MEAUX

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT
OF THE STATE OF CALIFORNIA

ORVILLE MEAUX,

Plaintiff,

v.

NORTHWEST AIRLINES, INC., a Delaware
Corporation, PROFESSIONAL FLIGHT
ATTENDANTS ASSOCIATION, a labor
organization, TRANSPORT WORKERS
UNION, a labor organization, ASSOCIATION
OF FLIGHT ATTENDANTS-
COMMUNICATIONS WORKERS OF
AMERICA, a labor organization, and DOES 1
to 20, inclusive,

Defendants.

Case No. C 04-04444 CW

(Consolidated with
Case No. C09-02447 CW)
ORDER DENYING
STIPULATION ~~AND~~
~~(PROPOSED) ORDER~~
TO BE EXCUSED FROM THE
ADR PROCESS,
EARLY NEUTRAL EVALUATION

Hon. Claudia Wilken

WHEREAS, this is a consolidated action, the more recent action (C09-02447 CW) having
been filed on June 3, 2009.

WHEREAS, the Court ordered ADR process, Early Neutral Evaluation, was ordered by
the Court in the 2009 case on October 2, 2009, before the two Defendant unions had appeared in
the action.

WHEREAS, Plaintiff had agreed in the Joint Case Management Statement filed in the

2009 action to Early Neutral Evaluation when it was contemplated that the two Defendant unions would be parties to this action and would participate in the ADR process.

WHEREAS, an Early Neutral Evaluation is scheduled to occur on February 4, 2010 before Sue Stott.

WHEREAS, while the two Defendant unions currently remain in this action, Plaintiff now intends to dismiss the two Defendant unions from this action, leaving Defendant Northwest Airlines as the sole Defendant subject to participate in the Early Neutral Evaluation.

WHEREAS, Plaintiff and Defendant Northwest Airlines participated in the ADR process in the earlier case (C 04-04444 CW) when the Court ordered the parties to Private Mediation by Order dated March 8, 2005. The ADR Session, Mediation was held on August 16, 2005 but the parties were not able to reach a resolution of the matter.

WHEREAS, Plaintiff Orville Meaux does not now agree that Early Neutral Evaluation is a suitable method of ADR for this case as the remaining parties to the consolidated action, Plaintiff Orville Meaux and Defendant Northwest Airlines, have not been able to resolve this dispute through alternative means in the past. Plaintiff anticipates that an Early Neutral Evaluation with Defendant Northwest will be a costly and time-consuming process with little likelihood of resolving the matter.

WHEREAS, counsel for Defendant Northwest is willing to participate in the Early Neutral Evaluation as ordered, but does not oppose Plaintiff's request to cancel the scheduled Early Neutral Evaluation which Plaintiff does not believe will be productive.

WHEREFORE, counsel for Plaintiff and Defendant Northwest Airlines agree that this action may be withdrawn from the ADR process and the Early Neutral Evaluation Session scheduled for February 4, 2010 may and should be canceled.

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1 SO STIPULATED.

2 DUANE & SELTZER

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4 Dated: January 20, 2010

5 /s/
6 DEAN SCHMIDT
7 Attorneys for Plaintiff
8 Orville Meaux

9 OGLETREE, DEAKINS et al.

10 Dated: January 20, 2010

11 /s/
12 LINDA GOLDMAN
13 Attorneys for Defendant
14 Northwest Airlines, Inc.

15 **ORDER**
16 **STIPULATION RE CASE MANAGEMENT CONFERENCE**
17 **NOT APPEARING**

18 The above Stipulation, having been read and GOOD CAUSE ~~APPEARING~~
19 THEREFORE, IT IS HEREBY ORDERED ADJUDGED AND DECREED that the Early
20 **shall proceed as scheduled.**
21 Neutral Evaluation scheduled for February 4, 2010 ~~is cancelled and the case shall be withdrawn~~
22 ~~from the ADR process.~~

23
24 Dated: 1/21/10

25 
26 Honorable Claudia Wilken